

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

**THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR**

TUESDAY, THE 16TH OCTOBER 2007 / 24TH ASWINA 1929

WP(C).No. 20152 of 2007(Y)

PETITIONER:

**SALIS BIJAR,S/O.BALAKRISHNAN,
ATHIKKOTIL HOUSE,ERNAD TALUK,
MALAPPURAM DISTRICT.**

BY ADV. SRI.K.A.SALIL NARAYANAN

RESPONDENTS:

- 1. THE SUB-INSPECTOR OF POLICE,
KOTTAKAL POLICE STATION,
KOTTAKKAL, MALAPPURAM DISTRICT.**
- 2. THE ASSISTANT EXCISE COMMISSIONER
MALAPPURAM DISTRICT,MALAPPURAM.**
- 3. THE CIRCLE INSPECTOR OF EXCISE,
TIRURANGADI.**
- 4. A.GOPALAN,S/O.TAMI,
ARAKKAL HOUSE, VALAKULAM,
POST PUTHUPARAMBA,MALAPPURAM.**
- 5. SRI.V.P.BHASKARAN,S/O.VELAYUDHAN NAIR,
VARIAMKANDI HOUSE, VALAKULAM,
PUTHUPARAMB POST MALAPPURAM.**
- 6. SRI.POOVANCHERRY BASHEER,S/O.ALAVI,
NJARATHADAM,VALAKULAM,
POST PUTHUPARAMB,MALAPPURAM.**

(.....2)

**7. SRI.PUTHOOR SOOPI, S/O.AYAMMED KUTTY,
PATHOOR HOUSE, VALAKULAM,
POST PUTHUPARAMB, MALAPPURAM.**

***Addl.8.EDARIKKODE GRAMA PANCHAYAT,
EDARIKKODE, MALAPPURAM,
REP: BY ITS SECRETARY.**

(*Addl.R8 is impleaded as per order in IA.No.9349/2007 dated 10.7.2007.)

**BY GOVT.PLEADER SRI.SALIM P.A.
BY ADV. SRI.P.K.IBRAHIM
SRI.THOMSTINE K.AUGUSTINE**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 16/10/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

WP(C).No. 20152 of 2007(Y)

PETITIONER'S EXHIBITS:-

- Ext.P1:** Copy of license No.M-239/07-08 issued to the petitioner by the 2nd respondent.
- Ext.P2:** Copy of the Consent letter issued to the petitioner by the owner of the premises.
- Ext.P3:** Copy of the title deed showing the right and interest of the owner over the premises.
- Ext.P4:** Copy of the Toddy Transport Permit issued to the petitioner by the Asst.Excise Commissioner, Palakkad.
- Ext.P5:** Copy of the representation given to the 1st respondent by the petitioner on 15/6/2007.
- Ext.P6:** Copy of the representation given by the petitioner to the 2nd respondent on 15/6/2007.

RESPONDENTS' EXHIBITS:-

- Ext.R4(a):** Copy of the mass petition dated 15/6/2007 submitted by the residents of the Edarikkode Grama Panchayat before the Asst.Excise Commissioner, Malappuram.
- Ext.R4(b):** Copy of the mass petition dated 15/6/2007 submitted by the residents of the Edarikkode Grama Panchayat before the District Collector, Malappuram.

(true copy)

P.S. TO JUDGE.

Kvs/-

P.R.RAMAN & K.HEMA JJ.

W.P. (C) NO.20152 OF 2007

Dated this the 30th day of July, 2007

O R D E R

Raman,J.

The learned counsel Sri P.K.Ibrahim appearing for the additional 8th respondent-Panchayat wants to ascertain as to whether any notification has been issued by any Panchayat in terms of Section 232 of the Panchayat Raj Act in the area in which toddy shop is situated so as to insist for licence to be issued before starting any toddy shop. If any such notification is issued, the same be produced positively before the next posting.

In the absence of any such notification produced, it will be presumed that no such notification is issued. For further orders post on 6/8/2007.

**P . R . RAMAN ,
Judge .**

**K . HEMA ,
Judge .**

kcv.

